

orney Docket No.: 01CON346P
Serial No.: 09/761,033

REMARKS

This is in response to the *Final Office Action*, dated October 10, 2005, where the Examiner has rejected claims 28-29, 31-32, 38-39 and 41-42, and has objected to claims 33-35 and 43-45. By the present amendment, claims 28, 33, 38 and 43 have been amended, and new claims 48-49 have been added. After the present amendment, claims 28-29, 31-35, 38-39, 41-45 and 48-49 are pending in the present application. Reconsideration and allowance of pending claims 28-29, 31-35, 38-39, 41-45 and 48-49 in view of the following remarks are respectfully requested.

A. Rejection of Claims 28-29, 31-32, 38-39 and 41-42 under 35 U.S.C. § 103(a)

The Examiner has rejected claims 28-29, 31-32, 38-39 and 41-42, under 35 U.S.C. § 103(a), as being unpatentable over Funaki (USPN 6,006,177) ("Funaki") in view of Serizawa, et al. (USPN 5,687,284) ("Serizawa").

Applicant respectfully disagrees; however, in order to expedite the prosecution of the present application, applicant has amended independent claims 28 and 38 to recite "wherein said current excitation signal is constructed as a function of a gain, a distance to a peak and a coefficient." Applicant respectfully submits that claims 28 and 38, as amended, should be allowed, at least based the Examiner's statement of reasons for allowability of dependent claims 33 and 43, which reads "Claims 33 and 34 recite the current excitation signal is constructed by a function of a gain, the distance to the peak, a coefficient and impulse response. None of the prior art on record teaches the current excitation using this function." (Office Action, Page 4.)

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Further, claims 29 and 31-32 depend from claim 28 and claims 39 and 41-42 depend from claim 38, and they should be allowed at least for the same reasons claims 28 and 38, as amended, are in condition for allowance.

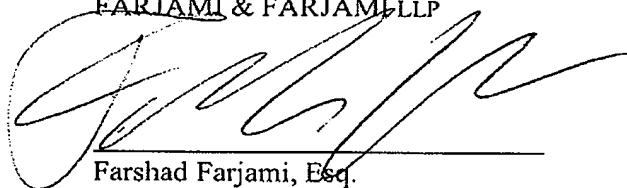
C. New Claims 48-49

Claims 48 and 49 depend from claims 28 and 38, respectively, and include the same limitations deleted from claims 28 and 38, respectively, by the present amendment. Applicant respectively submits that claims 48 and 49 should be allowed at least for the same reasons claims 28 and 38, as amended, are in condition for allowance.

D. Conclusion

For all the foregoing reasons, an early allowance of claims 28-29, 31-35, 38-39, 41-45 and 48-49 pending in the present application is respectfully requested. The Examiner is invited to contact the undersigned for any questions.

Respectfully Submitted;
FARJAMI & FARJAMI LLP



Farshad Farjami, Esq.
Reg. No. 41,014

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Dec. 13, 2005

Date

LESLEY L. NING
Name


Signature

Farshad Farjami, Esq.
FARJAMI & FARJAMI LLP
26522 La Alameda Ave., Suite 360
Mission Viejo, California 92691
Tel: (949) 282-1000
Fax: (949) 282-1002